

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

OZELIA HICKS, JR.,

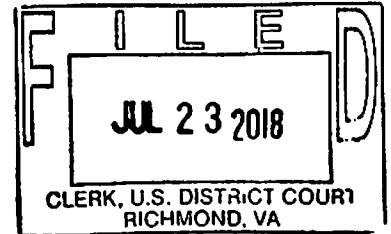
Plaintiff,

v.

Civil Action No. 3:17CV804

DR. LUONG, et al.,

Defendants.



MEMORANDUM OPINION

Ozelia Hicks, Jr., a Virginia inmate proceeding pro se and in forma pauperis, filed this 42 U.S.C. § 1983 action. In order to state a viable claim under 42 U.S.C. § 1983, a plaintiff must allege that a person acting under color of state law deprived him or her of a constitutional right or of a right conferred by a law of the United States. See Dowe v. Total Action Against Poverty in Roanoke Valley, 145 F.3d 653, 658 (4th Cir. 1998) (citing 42 U.S.C. § 1983). Hick's terse and conclusory allegations failed to provide each defendant with fair notice of the facts and legal basis upon which his or her liability rested. Accordingly, by Memorandum Order entered on June 18, 2018, the Court directed Hicks to submit a particularized complaint within fourteen (14) days of the date of entry thereof. The Court warned Hicks that the failure to submit the

particularized complaint would result in the dismissal of the action.

More than fourteen (14) days have elapsed since the entry of the June 18, 2018 Memorandum Order. Hicks failed to submit a particularized complaint or otherwise respond to the June 18, 2018 Memorandum Order. Accordingly, the action will be dismissed without prejudice.

The Clerk is directed to send a copy of this Memorandum Opinion to Hicks.

Date: *July 19, 2018*
Richmond, Virginia

/s/ REU

Robert E. Payne
Senior United States District Judge